

Application No.: 09/742,684

Attorney Docket No.: SALK1720-6

Filing Date: December 19, 2000

(088802-3109)

Response to Office Action (mailed 12/12/2003) faxed January 12, 2004

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Remarks

Claims 11 and 18-36 were pending before this communication. No amendments are presented in the present response. Accordingly, claims 11 and 18-36 remain pending in this application. The present status of all claims in the application is provided in the listing of claims presented herein beginning on page 2.

Applicants respectfully disagree with the Examiner's assertion that the amendment filed on September 26, 2003 was allegedly not responsive because the claims "are drawn to non-elected SEQ ID NO:15". SEQ ID NO:15 is merely a specific nucleotide sequence encoding the human activin receptor, while SEQ ID NO:16 is the amino acid sequence encoded by SEQ ID NO:15. In addition, claims 25, 26, 35 and 36 are specifically directed to methods employing an activin receptor as set forth in SEQ ID NO:16. Thus, all claims read on the elected species, the human activin receptor (either amino acid or nucleic acid sequences encoding same).

Applicants note that the amendments submitted earlier (September 26, 2003) to further characterize the activin receptor by reference to nucleic acid sequence encoding same (as opposed to direct reference to the amino acid sequence) were presented to conform to the language of the issued claims of the parent applications (U.S. Patent Nos. 5,885,794 and 6,162,896).

Accordingly, Applicants respectfully request reconsideration of the Examiner's requirement that the claims should be directed to SEQ ID NO:16 to be responsive. Applicants further request entry of the previously presented amendments as fully responsive to the Office Action mailed on June 26, 2003 (Paper No. 18).

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Conclusion

In view of the above remarks, prompt and favorable action on all claims is respectfully requested. In the event any matters remain to be resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

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